

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

DONNELLE BLACKMAN,

Plaintiff,

Case No. 0:23-cv-60874-RAR

v.

QBE SPECIALTY INSURANCE COMPANY,

Defendant.

QBE'S REMOVAL STATUS REPORT

The Defendant, QBE Specialty Insurance Company ("QBE"), pursuant to the Court's Order Requiring Removal Status Report entered on 5/11/23 [DE 03], files its Removal Status Report, and states:

1. QBE filed its Notice of Removal on 5/10/23 [DE 01].
2. QBE attached all pleadings filed in the underlying state court case as an exhibit to its Notice of Removal [DE 01-1]. According with this Court's Order [DE 03], QBE will file a separate notice attaching each pleading as a separate exhibit.
3. QBE further states as follows:
 - a. **A plain statement of the nature of the claim and any counterclaim, cross-claim, or third party claim made in state or federal court, including the amount of damages claimed and any other relief sought.**

This is an action for property insurance benefits. QBE has not asserted a counterclaim, cross-claim, or third-party claim. The Plaintiffs seeks a total of \$266,436.69 minus the policy's \$15,000 deductible and \$27,956.53 prior payment, plus attorney's fees. *See* DE 01-1 at 107 (amount claimed), at 15 (deductible), 7 (prior payment).

b. A plain statement of the grounds for removal and a list of all parties to the action, including parties to any third-party claim.

The grounds for removal is diversity jurisdiction. 28 U.S.C. § 1332. The Plaintiff is a citizen of Florida. *See* DE 01-1 at 5. QBE is a citizen of North Dakota and New York. *See* DE 01 at ¶ 11. There are no other parties. There is complete diversity of citizenship, and the amount in controversy exceeds \$75,000 exclusive of interest, fees, and/or costs.

c. A list of pending motions.

There are no pending motions arising from the underlying state court action. QBE filed a Motion to Dismiss for failure to issue a Notice of Intent to Initiate Litigation pursuant to Florida Statute Subsection 627.70152 [DE 05].

d. A brief statement by each Defendant explaining whether or not each has joined or consented to the notice of removal.

QBE is the only defendant, and it filed the Notice of Removal [DE 1].

e. A statement regarding whether the Defendant(s) have removed the action within thirty (30) days after the receipt by the Defendant(s), through service or otherwise, a copy of the initial pleading setting forth the claim for relief upon which the action or proceeding is based, or within (30) days after service of summons upon the Defendant(s), if such initial pleading has been filed in court and is not required to be served on the Defendant(s) in the action.

QBE removed this case within thirty (30) days of being served by the Plaintiff with a copy of the initial pleadings.

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Respectfully submitted,

HINSHAW & CULBERTSON LLP

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CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2023, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system and will be sent by electronic mail to counsel for the Plaintiffs.

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